

REMARKS

The Office Action dated March 23, 2004 has been reviewed. Claims 5 and 16-18 are amended. Claims 2 and 4-18 are pending.

The drawings are objected to. Applicants submit concurrently herewith a Submission of Replacement Sheets of Formal Drawings. Withdrawal of the objection to the drawings is requested.

Claims 4-10 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,259,355 to Nakashima et al. ("Nakashima '355") in view of U.S. Patent No. 5,579,741 to Cook et al. ("Cook '741") and further in view of U.S. Patent No. 5,267,470 to Cook ("Cook '470"). Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakashima '355 in view of Cook '741 and Cook '470, and further in view of U.S. Patent No. 5,803,056 to Cook et al. ("Cook '056"). The rejections under 35 U.S.C. § 103(a), of claims 2, 4-10, and 16 are respectfully traversed.

Applicants have amended claims 5 and 16 to particularly point out and distinctly claim the invention. Claims 5 and 16 recite a device for controlling fluid flow between an evaporative emission space of a fuel tank and a fuel vapor collection canister, including a housing, a valve, and an electric actuator. The housing includes a body portion and a cover portion. The electric actuator is disposed within the housing and extends between a first end that is operatively coupled to the valve and a second end. The electric transducer is disposed within the cover portion proximate the second end of the actuator and in fluid communication with the fluid flow path. Support for these features is provided at, for example, Fig. 1, of Applicants' specification as originally filed.

The Office Action relies on member 22 of Nakashima '355 for allegedly teaching Applicants' claimed body portion, and on sensor housing 12 of Nakashima '355 for allegedly teaching Applicants' claimed cover portion. Applicants do not acquiesce that Nakashima '355 teaches a body portion and cover portion, as recited in claims 5 and 16. Referring to Fig. 2 of Nakashima '355, member 22 and sensor housing 12 are clearly two distinct housings connected by communication path 21. In any event, sensor housing 12 and valve member 23 of Nakashima

'355 are disposed on the same side of actuator 25. So Nakashima '355 cannot in any way teach or suggest an electric actuator that is disposed within a housing and that extends between a first end that is operatively coupled to a valve and a second end, which is proximate to an electric transducer that is disposed within a cover portion.

Neither Cook '741, Cook '470, nor Cook '056 make up for the deficiencies of Nakashima '355. Accordingly, it is respectfully submitted that claims 5 and 16 are patentable. Claims 2, 4 and 6-10 ultimately depend from claim 5 and recite the same combination of allowable features recited in claim 5. Applicants respectfully request that the rejections under 35 U.S.C. § 103(a), of claims 2, 4-10, and 16, be withdrawn.

Claim 17 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakashima '355 in view of Cook '741 and further in view of Cook '056. This rejection under 35 U.S.C. § 103(a) is traversed. Applicants have amended claim 17 to particularly point out and distinctly claim the invention. Claim 17 recites a method of connecting a device for controlling fluid flow between an evaporative emission space of a fuel tank and a fuel vapor collection canister, including establishing by a single connector electrical connections between a wiring harness and both of a valve actuator and a transducer that are commonly disposed within the housing of the device. Support for these features is provided at, for example, Fig. 1, of Applicants' specification as originally filed.

As illustrated in Fig. 2 of Nakashima '355, sensor housing 12 and member 22 are two distinct housings separated by communication path 21, thus precluding establishing by a single connector electrical connections between a wiring harness and both of a valve actuator and a transducer that are commonly disposed within the housing of the device, as recited in claim 17. Neither Cook '741 nor Cook '056 make up for the deficiencies of Nakashima '355. Accordingly, Applicants respectfully submit that claim 17 is patentable. Applicants respectfully request that the rejection under 35 U.S.C. § 103(a), of claims 17, be withdrawn.

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,211,151 to Nakajima et al. ("Nakajima '151") in view of Cook '056. This rejection under 35 U.S.C. § 103(a) is traversed. Applicants have amended claim 18 to particularly point out and distinctly claim the invention. Claim 18 recites a method of connecting a device for controlling

fluid flow between an evaporative emission space of a fuel tank and a fuel vapor collection canister, including establishing by a single connector electrical connections between the wiring harness and both of a valve actuator and a pressure transducer that are commonly disposed within the housing of the device.

It is submitted that Nakajima '151 fails to show at least the features of a pressure transducer disposed within the housing of a device. Moreover, there is no motivation to combine the terminal 96 in electrical communication with actuator 62 and transducer 86 of Cook '056, with the valve of Nakajima '151, at least because the valve of Nakajima '151 does not have a transducer. Moreover, there is no motivation to combine Cook '056 with Nakajima '151 because Cook '056 is directed to a canister vent valve in a fluid communication path between a fuel vapor canister and the atmosphere, rather than a tank isolation valve in a fluid communication path between a fuel tank headspace and a fuel vapor canister. Accordingly, Applicants respectfully submit that claim 18 is patentable. Applicants respectfully request that the rejection under 35 U.S.C. § 103(a), of claim 18, be withdrawn.

It is submitted that all pending claims (*i.e.* claims 2 and 4-18) are in condition for allowance. Allowance of all pending claims is earnestly requested.

CONCLUSION

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing all pending claims in condition for allowance. Applicants submit that the claim amendments do not raise new issues or necessitate additional search of the art by the Examiner.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite the prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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